

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 2511 of 1988

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

GUJARAT MAJDOOR SABHA

Versus

UNION OF INDIA

Appearance:

MR JJ YAJNIK for Petitioner

MR BB NAIK for Respondent No. 1

MR MAGANBHAI M DESAI for Respondent No. 2, 3

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 10/02/2000

ORAL JUDGEMENT

Heard the learned advocate Mr. Yagnik for the petitioner.

2. The present petition has been preferred by a

Labour Union challenging the action of the respondent no. 2 ie., the Institute of Hotel Management, Catering & Nutrition, Ahmedabad in inviting applications for selection and appointment to the posts of Instructors/Lecturers and Assistant Instructors/Lecturers. It is the claim of the petitioner that four persons named in paragraph 3.2 of the petition were already serving in the Institute and were eligible for promotion to the posts in question. No direct recruitment should be made for the posts for which qualified candidates were available within the establishment. Mr. Yagnik states that all the four persons have left the respondent no. 2 Institute and none of them is in the service of the respondent no. 2-Institute. The cause of action, therefore, does not survive. He, therefore, seeks leave to withdraw this petition.

3. Leave is granted. Petition is disposed of as withdrawn. Rule is discharged. Interim relief is vacated.

Prakash*